

REMARKS

Applicant thanks the Examiner for the thorough consideration given the present application. Claims 1-19 are currently being prosecuted. The Examiner is respectfully requested to reconsider his Election of Species Requirement in view of the amendments and remarks as set forth hereinbelow.

PATENT COOPERATION TREATY

At the outset, it is respectfully submitted that the present application entered into the national phase before the USPTO based on a PCT application. Thus, the rules that apply to the present application with regard to unity of invention are set forth in 37 CFR §§ 1.475 to 1.477.

As set forth in 37 CFR § 1.475(a), an international and a national stage application shall relate to one invention only or to a group of inventions so linked as to form a single general inventive concept. On January 18, 2008 the Examiner was provided with a copy of International Preliminary Report on Patentability issued by the International Bureau on November 6, 2007. In the Report on Patentability, the International Bureau maintained all of the claims in a single application based on the fact that the claims were so linked so as to form a single general inventive concept.

It is respectfully submitted that the present application does include claims that are so linked so as to form a single general inventive concept. The Examiner contends that there is a

lack of unity of invention stating that the species are distinct by either providing an L-shaped engaging member (only set forth in claim 9) or by providing a serrated engaging section (only set forth in claim 19). It is respectfully submitted that this contention is not believed to be tenable in view of the fact that the International Search Report did maintain all of the claims in a single application. Thus, claims 1-19 should be considered in a single application. The Examiner is respectfully requested to reconsider his election of species requirement.

ELECTION OF SPECIES REQUIREMENT

The Examiner has set forth a restriction requirement with regard to claims 1-18. The grouping of the claims is set forth as follows:

<u>GROUP</u>	<u>FIGURES</u>	<u>CLAIMS</u>
I	1-16	1-8 and 10-18 are generic to both species claim 9 is specifically directed to the engaging section being an L-shaped member
II	17-20	1-8 and 10-18 are generic to both species claim 19 is specifically directed to the engaging section being a serrated member

It is respectfully submitted that claims 1-8 and 10-18 are generic in view of the fact that these claims are not limited to the L-shaped member or the serrated member. If the Examiner does not reconsider his Election of Species Requirement and act on all of the claims, then the Examiner is respectfully requested to act on generic claims 1-8 and 10-18 together with elected claim 19.

The provisions of 37 CFR 1.146 state that a reasonable number of species are permitted in a single application. The present application contains two species. It is respectfully submitted that if the Examiner allows the generic claims then all of the claims should be allowable in view of the fact that a reasonable number of species are set forth in the present application.

In order to be responsive to the Examiner's election of species requirement, claims 11-19. However, it is respectfully submitted that claims 1-8 and 10-18 are generic and that the Examiner should act on claims 1-8 and 10-19 in the present application. The Examiner is respectfully requested to reconsider his election of species requirement and act on all of the claims in the present application. If the Examiner does persist in his Election of Species Requirement, Applicant reserves the right to file a divisional application directed to the non-elected claims at a later date if he so desires.

INFORMATION DISCLOSURE STATEMENT

The Examiner is respectfully requested to consider the Information Disclosure Statements filed on October 3, 2007. The Examiner should initial and return the form PTO-1449 to the undersigned

Application No.: 10/563,809
Office Action dated July 23, 2008
Response to Office Action August 25, 2008

Docket No.: 0671-0106PUS2
Art Unit: 3724
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DRAWINGS

The Examiner has not approved the Formal Drawings submitted by the Applicant.

The Examiner should approve the Formal Drawings in the next Office Action.

Favorable action on the present application is earnestly solicited.

- ☐ Attached is a Petition for Extension of Time.
- ☐ Attached hereto is the fee transmittal listing the required fees.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to our Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

Dated: August 25, 2008

Respectfully submitted,

By 

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